

**Amendment No. 1 to SB2244**

**Cooper  
Signature of Sponsor**

**AMEND Senate Bill No. 2244**

**House Bill No. 2260\***

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 71, Chapter 5, Part 1, is amended by adding the following as a new section:

71-5-148.

(a) The bureau of TennCare shall annually assess the adequacy of TennCare dental provider networks for rendering services to enrollees in each county of the state where the provider network is closed for any period of time during a calendar year.

(b) If the bureau determines that a county lacks adequate access to dental services for enrollees, the bureau shall require any managed care organization responsible for providing dental services in the county to open its panel of dental providers for a period of one hundred eighty (180) days and recruit and accept new dental providers. If after such one hundred eighty (180) day period, the bureau determines that the county continues to lack an adequate provider network for dental services, the bureau shall order the managed care organization to not deny any licensed dentist or licensed dental provider the right to participate as a participating provider in any policy, contract or plan on the same terms and conditions as are offered to any other provider of dental services under the policy, contract or plan; provided, that nothing herein shall prohibit a managed health insurance issuer or health insurance issuer, as such terms are defined in Tennessee Code Annotated, title 56, from establishing rates or fees that may be higher in non-urban areas, or in specific instances where a managed health insurance issuer or health insurance issuer determines it necessary to contract with a particular

provider in order to meet network adequacy standards or patient care needs.

(c) If the commissioner of finance and administration determines that implementation of the provisions of this section requires a federal waiver or an amendment to an existing federal waiver or other form of approval from the federal department of health and human services then the commissioner shall apply for or seek such waiver, amendment or approval within sixty (60) days of the effective date of this act.

(d) For the purposes of this section, "lacks adequate access to dental services" means that less than sixty percent (60%) of the enrolled TennCare children in a county have accessed dental services in the previous year and that on average, as determined by the bureau of TennCare, an enrolled TennCare child is unable to secure an appointment within at least ten (10) days of a request for an appointment.

SECTION 2. This act shall take effect July 1, 2005, the public welfare requiring it.